

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROGER CLARK,

Plaintiff,

CIV-S-98-0704 LKK PAN (GGH) PS

vs.

COUNTY OF YUBA, et al.,

Defendants.

ORDER

On July 5, 2006, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within ten days. Plaintiff filed objections on July 14, 2006, additional facts in support of his objections on July 24, 2006, and they were considered by the district judge.

This court reviews de novo those portions of the proposed findings of fact to which objection has been made. 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). As to any portion of the proposed findings of fact to which no objection has been made, the court assumes its correctness and decides the motions on the applicable law. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are

1 reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir.  
2 1983).


3 The court has reviewed the applicable legal standards and, good cause appearing,  
4 concludes that it is appropriate to adopt the Proposed Findings and Recommendations in full.

5 Accordingly, IT IS ORDERED that:

6 1. The Proposed Findings and Recommendations filed July 5, 2006, are  
7 ADOPTED; and

8 2. Plaintiff's motion (filed November 16, 2005, as amended November 28, 2005)  
9 to vacate this court's December 16, 2002 order and judgment is denied.

10 DATED: September 11, 2006.

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15 LAWRENCE K. KARLTON  
16 SENIOR JUDGE  
17 UNITED STATES DISTRICT COURT  
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